

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

STARLEIGH Y. JUDKINS,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:06CV625-SRW
)	(WO)
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

This action is presently before the court on the motion to remand filed by the Commissioner on October 24, 2006 (Doc. # 12). The Commissioner asks that this court remand this action pursuant to sentence six of 42 U.S.C. § 405(g)¹ because the Commissioner has determined that the tape recording of the August 9, 2005 administrative hearing is blank.

Upon consideration of the motion, it is

ORDERED that the motion is GRANTED, and this action is REMANDED to the Commissioner pursuant to sentence six of § 405(g) for further administrative proceedings.

DONE, this 25th day of October, 2006.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE

¹ Sentence six permits remand “on motion of the Commissioner of Social Security made for good cause shown before the Commissioner files the Commissioner’s answer” 42 U.S.C. § 405(g). See Melkonyan v. Sullivan, 501 U.S. 89, 100 n. 2 (1991); Shalala v. Schaefer, 509 U.S. 292, 297 n. 2 (1993).